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Oceans and the law of the sea

Letter dated 28 May 2014 from the Chargé d'affaires a.i. of the Permanent Mission of Viet Nam to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to transmit herewith a diplomatic note dated 23 May 2014 from the Ministry of Foreign Affairs of the Socialist Republic of Viet Nam addressed to the Ministry of Foreign Affairs of the People's Republic of China concerning China's continued illegal operation of the oil rig Haiyang Shiyou 981 in the exclusive economic zone and the continental shelf of Viet Nam since 1 May 2014 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the sixty-eighth session of the General Assembly under agenda item 76 (a).

(*Signed*) **Nguyen** Trac Ba
Chargé d'affaires a.i.

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Annex to the letter dated 28 May 2014 from the Chargé d'affaires a.i. of the Permanent Mission of Viet Nam to the United Nations addressed to the Secretary-General

The Ministry of Foreign Affairs of the Socialist Republic of Viet Nam presents its compliments to the Ministry of Foreign Affairs of the People's Republic of China and, with reference to the latter's diplomatic note dated 5 May 2014, has the honour to inform as follows:

1. Despite Viet Nam's serious communications at various levels and under various forms, China has not stopped its infringement of Viet Nam's sovereign rights and jurisdiction over its exclusive economic zone and continental shelf as defined in accordance with the 1982 United Nations Convention on the Law of the Sea, to which both Viet Nam and China are parties. Once again, Viet Nam demands that China immediately withdraw its oil rig Haiyang Shiyou 981 and escort vessels from Viet Nam's maritime zones and stop all activities that are interfering with maritime safety and security and affecting regional peace and security. Once China pulls out its oil rig, the two sides shall immediately exchange views on measures to contain and stabilize the situation and on maritime issues between the two countries.

2. In the above-mentioned diplomatic note and in other communications with Viet Nam, China maintains that the placement of oil rig Haiyang Shiyou 981 is within the waters of the "Xisha" Islands. Viet Nam once again reaffirms that the "Xisha" Islands referred to by China is Viet Nam's Hoang Sa Archipelago (also known as the Paracel Islands), which China has unlawfully occupied by force since 1974. The two sides should conduct negotiations on the sovereignty over the Hoang Sa Archipelago and on whose right to carry out activities to explore and exploit the natural resources at the location where the oil rig Haiyang Shiyou 981 is currently placed. At the meeting with Comrade Le Duan, First Secretary of the Viet Nam Labour Party, in Beijing in September 1975, Comrade Deng Xiaoping, Vice-Chairman of the Central Committee of the Communist Party of China and Vice-Premier of the State Council of China, admitted that there were differences between Viet Nam and China concerning the sovereignty over the Hoang Sa and Truong Sa archipelagos and that the two sides would negotiate to settle the issue at a later stage. The Government of Viet Nam once again respectfully requests the Government of China, in the light of that spirit, to promptly commence Government-level negotiations between Viet Nam and China on the sovereignty over the Hoang Sa Archipelago.

3. At the 16 May 2014 press conference held by the Ministry of Foreign Affairs of China, a representative of the Ministry of Foreign Affairs of China stated that Viet Nam had designated 57 oil and gas blocks, including 7 oil and gas fields in production and 37 drilling platforms, in the disputed waters. This claim was made by China without any legal basis. Viet Nam, therefore, firmly rejects this wrongful claim by China and, at the same time, reaffirms that all oil and gas activities of Viet Nam are conducted within the continental shelf of Viet Nam as defined in compliance with the United Nations Convention on the Law of the Sea of 1982.

The Ministry of Foreign Affairs of the Socialist Republic of Viet Nam avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the People's Republic of China the assurances of its highest consideration.